



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of

Minoru FUJIMORI et al.

Serial No. 09/816,391

Filed March 26, 2001

Docket No. 2001_0206A

Group Art Unit 1642

TECH CENTER 1600/2900

ANAEROBIC BACTERIUM AS A DRUG FOR
CANCER GENE THERAPY

RESPONSE

Assistant Commissioner for Patents,
Washington, D.C.

Sir:

This is responsive to the Notice dated June 20, 2001.

In reply, the Office is advised that the Applicants filed a response on June 22, 2001, submitting a copy of the Sequence Listing in computer readable form together with a paper copy thereof, correcting the errors in the Sequence Listing which are pointed out in the Notice dated June 20, 2001.

Accordingly, the Applicants complete reply was filed as of June 22, 2001. Copies of the Reply are enclosed.

Respectfully submitted,

Minoru FUJIMORI et al.

By:

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June 29, 2001



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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/816,391	03/26/2001	Minoru Fujimori	2001_0206A

CONFIRMATION NO. 7242

000513
WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

FORMALITIES LETTER



OC000000006202359

Date Mailed: 06/20/2001

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on to the Notice mailed and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

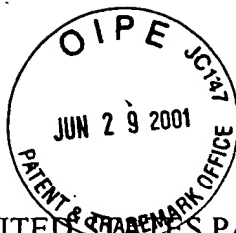
- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of :
Minoru FUJIMORI et al. : Docket No. 2001-0206A
Serial No. 09/816,391 : Group Art Unit 1642
Filed March 26, 2001 : Examiner Not Yet Assigned

ANAEROBIC BACTERIUM AS A DRUG :
FOR CANCER GENE THERAPY

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

RESPONSE

Assistant Commissioner for Patents,
Washington, D.C. 20231

Sir:

Responsive to the Notice dated May 23, 2001, there is submitted herewith, a paper copy of a Sequence Listing for the above-identified application which has been prepared in accordance with the sequence rules under 37 CFR 1.821-1.825. The Sequence Listing contains the identical sequences appearing in the original application papers. Thus, no new matter has been added.

There is also submitted herewith a copy of the Sequence Listing in computer readable form as required by 37 CFR 1.821(e). The content of the paper and computer readable copies are the same.

The executed Declaration and PTO fee of \$130.00 was previously submitted on May 24, 2001. Copies of these papers are enclosed.

A copy of the Notice is also attached as required.

In view of the foregoing, it is believed that each requirement set forth in the Notice has been satisfied, and that the application is now in compliance with the sequence rules under 37 CFR 1.821-1.825. Accordingly, favorable examination on the merits is respectfully requested.

Respectfully submitted,

Minoru FUJIMORI et al.

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June 22, 2001